

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OPEN TEXT S.A.,
Plaintiff,

v.

ALFRESCO SOFTWARE LTD, et al.,
Defendants.

Case No. 13-cv-04843-JD

CASE MANAGEMENT ORDER

In light of developments in the case since the June 18, 2014, Case Management Conference, including the service of invalidity contentions, the exchange of claim construction briefing and an order granting a motion to dismiss, the Court orders further narrowing of the asserted claims. Open Text will limit its asserted claims to no more than 15 by September 29, 2014. Within seven days after that -- by October 6, 2014 -- the defendants will reduce their prior art references to no more than six per patent from among the twelve prior art references previously identified for that particular patent in their previous election of asserted prior art and no more than a total of 20 references.

For purposes of this order, a prior art instrumentality (such as a device or process) and associated references that describe that instrumentality will count as one reference, as will the closely related work of a single prior artist -- but only if all the associated references truly describe the same version of the same instrumentality.

The parties will file an amended joint claim construction statement limited to the remaining asserted claims by October 6, 2014.

Upon a showing of diligence, and with due consideration for prejudice, a party may seek to modify this order for good cause shown. Any request to increase the limits contained in this order

1 must specifically show why the inclusion of additional asserted claims or prior art references is
2 warranted. *See In re Katz Interactive Call Processing Patent Litig.*, 639 F.3d 1202, 1312-13 (Fed.
3 Cir. 2011).

4 **IT IS SO ORDERED.**

5 Dated: September 22, 2014

A handwritten signature in black ink, appearing to read 'J. Donato', is written over a horizontal line.

JAMES DONATO
United States District Judge